

Memorandum

TO: HISTORIC LANDMARKS
COMMISSION

FROM: Joseph Horwedel

**SUBJECT: EVERGREEN-EAST HILLS
DEVELOPMENT POLICY**

DATE: February 15, 2008

COUNCIL DISTRICT: # 5, 7, & 8
SNI AREA: K.O.N.A.,
EastValley/680, &
West Evergreen

RECOMMENDATION

Staff seeks input from the Historic Landmarks Commission at the March 5, 2008 hearing on key preservation issues to be included in the draft Evergreen-East Hills Development policy. In particular, staff requests that the Historic Landmarks Commission provide comments on 1) what preservation standards should evaluate a resource; 2) development guidelines that should be applied to properties or project components abutting or in proximity to a resource, 3) what are criteria for acceptable adaptive re-use of a resource; and 3) what are criteria to determine adequate context and setting, such as landscaping, are retained and incorporated into any site plan. Staff will receive these comments and return to the Historic Landmarks Commission on April 2, 2008 to present the draft policy.

BACKGROUND

The Evergreen–East Hills area, which is the area of the City south of Story Road and east of the 101 Freeway, has historically, had impacted traffic conditions, as it is predominantly residential, with much commuter traffic leaving the area in peak morning periods for jobs sources outside, and returning in the evening area. To exacerbate the traffic congestion situation, the Evergreen-East Hills area also has very limited access to freeways.

In 1976, the City adopted the Evergreen Development Policy to ensure that the total number of existing dwelling units, plus those that had planning approval at the time would be able to maintain traffic standards for the area. Revisions to the Evergreen Development Policy in 1995 identified a total of 4,759 dwelling units that were to be included in a benefit assessment district to further fund infrastructural improvements.

In 2003, the Evergreen-East Hills Development Strategy, a large community outreach process, (initially called the Evergreen Visioning Strategy) was underway to facilitate the development of six large opportunity sites (Arcadia, Pleasant Hills, Evergreen Valley Community College, Berg, IDS, and Legacy) to allow up to 5,700 residential units, 500,000 square feet of commercial development, and

Historic Landmarks Commission**February 15, 2008****Subject:** EEHDP Background and Request for Input

Page 2

75,000 square feet of office development in the traffic policy area. The Historic Landmarks Commission reviewed the Cultural Resources sections of the DEIR for the Strategy at its February 1, 2006 meeting, and submitted a comment letter to the Director of Planning. A copy of that comment letter and the response has been attached to this memorandum. On May 15, 2007, the City Council decided to defer decision on conversion to residential development of the industrial properties (Berg, IDS, and Legacy) and directed Staff to update the current traffic policy to a much more limited level of development.

On June 26, 2007, the City Council approved the criteria for the update of the traffic policy, now known as the Evergreen-East Hills Development Policy. These criteria included: 1) limiting residential development to a pool of 500 units; 2) allowing only 35 residential units on any one property, unless the development incorporates affordable housing, historic preservation, or mixed use components; and 3) allowing 500,000 square feet of commercial and 75,000 square feet of office development. On October 16, 2007, Council approved the appropriation action, which funded consultant work to supplement the environmental impact report that was certified in December 2006 and complete a traffic fee nexus study in furtherance of Council's June 2007 direction.

POLICY OBJECTIVES RELATED TO HISTORIC RESOURCES

City Council's June 2007 direction to staff indicated that the updated traffic policy should primarily support small, infill projects of 35 dwelling units or less. However, the City Council also included exceptions to the 35 unit limit, calling out projects that incorporate historic preservation as candidate sites that could develop more than 35 residential units.

Any level of development on a site would also still be contingent upon conformance to the General Plan, Residential Design Guidelines, and Zoning Ordinance. However, the unique ability to develop more than 35 residential units within the traffic policy area, given the limited development opportunities that will exist, is a significant incentive to support historic preservation in the Evergreen-East Hills Area.

PROPOSED EVERGREEN-EAST HILLS DEVELOPMENT POLICY CRITERIA

The policy may include requirements that projects involving existing or eligible historic resources meet the Secretary of Interior's Standards for the Treatment of Historic Properties, including but not limited to, preservation of the portion of the site that qualifies as a resource, sensitivity of development in proximity to the resource, successful continued use or adaptive re-use of the resource, and preservation of adequate context and setting, such as landscaping, that contribute to the significance of the resource.

KNOWN HISTORIC RESOURCES IN EVERGREEN-EAST HILLS AREA

There is not sufficient data available to provide a comprehensive list of existing historic resources in the Evergreen East Hills area (area south of Story Road and east of the 101 Freeway) given that there has been no funding for survey work of the potential resources as part of the Evergreen-East Hills Development Policy update. There are ten properties that are on the City's Historic Resources Inventory located within this area.

Historic Landmarks Commission

February 15, 2008

Subject: EEHDP Background and Request for Input

Page 3

The most significant known historic resources in the Evergreen-East Hills area include the Wehner Mansion, a City Landmark, located within the Villages development, and the 15.13 gross-acre Mirassou Winery site listed on the Historic Resources Inventory as a Candidate City Landmark on November 2, 2005. It is also likely the existing large lots, may contain resources such as residences or accessory structures related to historic agricultural practices.

Trumark Companies has filed a General Plan Amendment to amend the Evergreen Specific Plan and change the Land Use/Transportation Diagram designation for the Mirassou Winery from Public Park/Open Space and Village Center to Medium High Density Residential (12-25 DU/AC) on 12.91 acres and retain 2.22 acres of the site as designated Village Center. In following City Council's January 27, 2004 direction to staff to discourage the filing of Rezoning and General Plan Amendments in the Evergreen area for residential uses that require additional residential unit allocation or density increases, processing of this General Plan Amendment will begin if the City Council adopts an updated traffic policy.

A July 30, 2007 Draft Historical and Architectural Evaluation for the Mirassou Winery, prepared by Urban Programmers, has been attached to this memorandum. Staff is including this Draft Historical and Architectural Evaluation for the Historic Landmarks Commission's review; so that the Commission is informed about attributes of the Mirassou Winery. Staff requests that the Commission provide Staff with criteria that can be applied to all resources in Evergreen, which are known or unknown at this time however; the Draft Historical and Architectural Evaluation for the Mirassou Winery will enable the Commission to provide evaluation criteria for this resource in particular, which is known by the City as a requested site for additional residential development. The scope of the Draft Historical and Architectural Evaluation of the Winery Site does not include evaluation of the extent to which the existing open space and landscape setting is required to be preserved in order to maintain the significance of the historic winery buildings and site. Staff has requested that Trumark, the applicant of the General Plan Amendment on the Mirassou Winery site, provide this additional analysis to be performed by a historic consultant with significant landscape architecture background.

CEQA

Staff is working on a supplement to the Environmental Impact Report for the Evergreen-East Hills Development Strategy that was certified in December 2006. Environmental analysis will not provide project level clearance for development projects but will instead solely provide environmental clearance relating to traffic for 500 residential units, 500,000 square feet of commercial development, and 75,000 square feet of office development in the traffic policy area.

WORK PLAN FOR THE EEHDP UPDATE

Below are the milestone dates related to the completion of the updated EEHDP:

Evergreen-East Hills Development Policy Task	Anticipated Dates
Community meeting to receive feedback on policy criteria	Mid March 2008
Staff presents draft policy to Historic	April 2, 2008

Historic Landmarks Commission**February 15, 2008****Subject:** EEHDP Background and Request for Input

Page 4

Landmarks Commission	
Traffic analysis completed (includes consultant preparation and City review)	Late June 2008
Community meeting to present the draft policy, traffic analysis results, and determined traffic impact fee	Late June 2008
Circulate Draft Supplemental EIR	Mid August 2008
Planning Commission	Mid October 2008
City Council	Late October 2008

PUBLIC OUTREACH/INTEREST

Staff will present the draft policy for feedback to the Historic Landmarks Commission at the April 2, 2008 hearing.

Staff will conduct two community meetings to receive input on the EEHDP. A community meeting will be conducted in mid-March to receive feedback on the proposed policy criteria still in preparation. Another community meeting will be held in mid-June, after the transportation analysis is complete, to present the draft policy, traffic analysis results, and proposed traffic impact fee. Staff will notify members of the community of these meetings through existing email lists. Staff will also post the community meeting information and received comments on the Evergreen-East Hills Development Policy link on the Planning, Building, and Code Enforcement webpage (www.sanjoseca.gov/planning/evergreen). There are no funds budgeted for media ads, however staff will outreach to community newspapers to provide information about upcoming community meetings.

COORDINATION

This project is being coordinated with the Department of Transportation and City Attorney's Office.

JOSEPH HORWEDEL, DIRECTOR
Planning, Building and Code Enforcement

Attachments:

- 1) March 20, 2006 Comments by the Historic Landmarks Commission on the Draft EIR for the Evergreen-East Hills Development Strategy
- 2) Historic Report for Mirassou Winery